

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revenue (Endowments) Department – Disciplinary action against Sri M. Raghunath, Joint Commissioner, Endowments Department Guntur - Certain irregularities committed – Imposition of punishment of reduction of Present Pay Scale Permanently by 3 (three) Stages – Orders - Issued.

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REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.RT.No. 22

Dated: 09 .01.2015.

Read the following : -

- 1) From the D.G., A.C.B., Hyderabad, No.18/RE-VGT/2005, dt.20.07.2006.
- 2) G.O.Rt.No.1434, Revenue (Vigilance.IV) Dept, dt.09.07.2008.
- 3) Written Statement of Defense of Sri M.Raghunath, the then D.C.E.D, Guntur, dated 31.07.2009.
- 4) G.O.Rt.No.1513, Revenue (Vigilance.IV) Dept, dt.19.10.2009.
- 5) G.O.Rt.No.1514, Revenue (Vigilance.IV) Department, dt.19.10.2009.
- 6) Enquiry report submitted by the CED, Hyderabad, Letter in Rc.No.V1/32627/2009, dt.19.11.2011.
- 7) Government Memo No.12226/Vig.IV.1/2005-27, dt.01.06.2012.
- 8) From Sri M.Raghunath, the then D.C.E.D., explanation dt.30.06.2012.
- 9) From the APAT orders dated 04.03.2013 in OA No 8420/2010 filed by Sri M.Raghunath, the then DCED.
- 10) Govt. Memo No 12226/Vig.IV.1/2005 dated 14.11.2014
- 11) From the G.P for Rev (Ser) High Court of A.P Lr. No WP 37796/2014/KRL/SER/HC dated 09.12.2014.
- 12) Government Lr.No.12226/Vig.IV.1/2005, dt.24.12.2014.
- 13) From the Secretary, (FAC) A.P. Public Service Commission, Hyderabad Lr.No.1410/RT/1/2014, dt.05.01.2015.

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ORDER:

Whereas, the Director General, Anti-Corruption Bureau, Hyderabad has conducted detailed enquiry on the allegations of irregular allotment of lands belonging to Yadavallivari Choultry, Guntur district and submitted final report vide reference 1st read above. Government, after careful examination of the report submitted by the Director General, Anti Corruption Bureau have framed Articles of Charges against (9) charged officers. Sri M.Raghunath, the then Deputy Commissioner Guntur is one among the Charged Officers against whom Articles of charges were framed on the allegation that he has filed to evict the lease holders and caused crores of rupees loss vide reference 2nd read above calling for his explanation. He has submitted Written Statement of Defenses vide reference 3rd read above requesting to drop further action. The matter was examined and the Commissioner of Endowments Department, Hyderabad was appointed as Inquiry Officer in the reference 4th read above to conduct enquiry into the charges framed against the charged officers.

2. And whereas, the Inquiry Officer has conducted enquiry and submitted his Inquiry report vide reference 6th read above. The Enquiry Officer in his enquiry report held that the charges framed against the said charged officers including Sri M.Raghunath, the then Deputy Commissioner of Endowments Department, is not proved. Government have examined the findings of the Inquiry Officer and found that there have been supervisory defects, if not, a total lack of supervision/ just issuing instructions to Subordinate Officers is not enough, especially when all the Charged Officers were field Officers, directly in the line of duty. Moreover, the explanation revolves around technicalities such as delay in filing charge sheets instead of actually trying to answer the charge

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made. Government have therefore, disagreed with the findings of the Enquiry Officer and while sending a copy of the Inquiry Officer's report together with disagreement factors to the Charged Officer requested to offer his explanations if any. He has submitted his explanations vide reference 8th read above. The same was examined and decided to impose a punishment of reducing the pay in the present pay scale by three stages permanently.

3. And whereas, Sri M.Raghunath, the then Deputy Commissioner, has filed OA No.8420/2010 in the A.P. Administrative Tribunal against the charge memo and the Hon'ble Tribunal in its orders dated. 04-3-2013 has set aside the charge Memo. The Government have filed W.P.No.37796/2014 in the Hon'ble High Court of A.P., against the said orders of the Hon'ble Tribunal. The Government Pleader for Services, High Court of AP vide letter 11th read above, has informed that the W.P.M.P.No.47283/2014 in WP No.37796/2014 filed against the orders of A.P. Administrative Tribunal dt.14-3-2013 in OA No.8420/2010 came up for hearing before the division bench on 9.12.2014 and the Hon'ble Court admitted the Writ Petition and granted interim suspension of the A.P. Administrative Tribunal Orders dated:04.03.2013 in O.A.No.8420/2010.

4. After careful examination of the matter and keeping in view of the interim suspension of the APAT orders dt.04-03-2013 in OA No.8420/2010 by the Hon'ble High Court in WP No.37796/2014, the Government have decided to impose a punishment of reducing the pay in the present pay scale permanently by three stages on Sri M.Raghunath, the then Deputy Commissioner, Guntur subject to outcome of W.P.No.37796/ 2014 pending in the Hon'ble High Court. The Secretary (FAC), Andhra Pradesh Public Service Commission, Hyderabad vide letter 13th read above has informed that the Commission has agreed with the said decision of the Government.

5. Accordingly, Government hereby order to impose a punishment of reducing the pay in the present pay scale permanently by three stages on Sri M.Raghunath, the then Deputy Commissioner, Guntur subject to outcome of W.P.No.37796/ 2014 pending in the Hon'ble High Court of A.P.

6. The Commissioner of Endowments Department, A.P., Hyderabad is requested to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C. SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri M.Raghunath, the then Deputy Commissioner, Guntur,
through, the Commissioner, Endowments Department, A.P., Hyderabad.
The Commissioner, Endowments Department, A.P., Hyderabad
(with a request to serve the copy to the individual and send the served copy to Government).

Copy to :-

The Director General, Anti-Corruption Bureau, Hyderabad
The Secretary, A.P Public Service Commission, Hyderabad for information.
The Government Pleader for Revenue (Services), Hon'ble A.P. Administrative Tribunal, Hyderabad.
The Government Pleader for Services, High Court of A.P., Hyderabad
w.r.t W.P No 37796/2014.
The Secretary to Vigilance Commissioner, APVC, A.P., Secretariat Hyderabad.
The Revenue (Endts-I) Dept.,
Stock file / Spare.

//FORWARDED:: BY ORDER//

SECTION OFFICER